

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TKL/846

- Applicant** : Man's United Management Limited represented by Aikon Development Consultancy Limited
- Site** : Lots 172 and 174 RP (Part) in D.D. 84 and Adjoining Government Land (GL), Ping Che, Ta Kwu Ling
- Site Area** : About 896m² (including GL of about 177m² or 19.8% of the Site)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ping Che and Ta Kwu Ling Outline Zoning Plan (OZP) No. S/NE-TKL/14
- Zoning** : "Agriculture" ("AGR")
- Application** : Temporary Warehouse and Open Storage of Metal and Construction Materials and Associated Filling of Land for a Period of Three Years

1. The Proposal

- 1.1 The applicant seeks planning permission for temporary warehouse and open storage of metal and construction materials and associated filling of land for a period of three years at the application site (the Site) falling within an area zoned "AGR" on the OZP (**Plan A-1**). According to the Notes of the OZP, temporary use or development of any land or building not exceeding a period of three years, and filling of land within the "AGR" zone require planning permission from the Town Planning Board (the Board). The Site is fenced-off and being used as the applied uses without valid planning permission.
- 1.2 According to the applicant, the current application is to facilitate the relocation of the business operation affected by government project, i.e. the development of Yuen Long South New Development Area (YLS NDA).¹ The affected site was resumed by the Government in February 2025.
- 1.3 The Site is accessible via a local access road leading to Ping Che Road (**Plan A-1**). According to the applicant, the applied uses involve five single-storey structures of not more than 6m in height with a total floor area of about 378m² for warehouse for storage

¹ The applicant has entered a Memorandum of Understanding with the affected business operator that upon approval of the application by the Board, the Site will be utilised by the affected business operator for the proposed uses during the planning approval period.

of metal and construction materials, porches, site offices and storeroom, and an open storage area of about 100m² (or 11.2% of the Site) for construction materials. No dangerous goods will be stored at the Site. The remaining area will be used for a private car parking space (2.5m (W) x 5m (L)), a loading/unloading (L/UL) space for medium goods vehicle (3.5m (W) x 11m (L)) and vehicle circulation space. A 12m wide ingress/egress for vehicles is proposed at the eastern boundary of the Site. The applicant also applies for regularisation of filling of land at the entire Site with concrete of not more than 1m in depth for warehouse and open storage operations and smooth traffic flow (i.e. the current site level is about +11.2mPD). No further filling of land is required. The applicant proposes traffic management measures including requiring prior arrangement for all vehicles visiting the Site, prohibiting vehicles exceeding 9m in length entering the Site, deploying on-site staff to manage traffic flow within and near the access of the Site, and erecting signs for pedestrian safety. The operation hours are between 8:00 a.m. and 7:00 p.m. from Mondays to Saturdays, with no operation on Sundays and public holidays. The layout plan and land filling plan submitted by the applicant are shown in **Drawings A-1** and **A-2** respectively.

- 1.4 The Site is the subject of a previous application No. A/NE-TKL/768 for temporary warehouse for storage of metal and construction materials and associated filling of land for a period of three years submitted by a different applicant, which was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board on 10.1.2025. The planning approval was subsequently revoked on 10.7.2026 due to non-compliance with approval conditions. Details of the previous application are set out in paragraph 6.1 below. Compared with the previous application, the layout and development parameters under the current application are largely the same except for the inclusion of open storage use and having a slightly larger site area (+25m² / +2.9%).
- 1.5 In support of the application, the applicant has submitted the following documents:
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| (a) Application Form with attachment received on 14.7.2026 | (Appendix I) |
| (b) Further Information (FI) received on 22.7.2026* | (Appendix Ia) |
| (c) FI received on 14.8.2026* | (Appendix Ib) |
| (d) FI received on 31.8.2026* | (Appendix Ic) |
| (d) FI received on 4.9.2026* | (Appendix Id) |

** accepted and exempted from publication and recounting requirements*

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Application Form and FIs at **Appendices I to Id**, as summarised below:

- (a) the application is submitted to facilitate the relocation of business operation for warehouse and open storage of construction materials with ancillary facilities affected by the development of YLS NDA. The applicant has spent efforts in identifying suitable sites for relocation in Yuen Long and Ta Kwu Ling areas, but they were considered not suitable due to various reasons such as location, limited space, or prohibitive costs. The Site is suitable for relocation as it is adequately sized with existing structures readily available for relocation. While the Site (about 896m²) has a larger area than the affected premises (about 564m²), the additional site area will accommodate necessary ancillary facilities, vehicle parking and manoeuvring space as well as to support the warehouse and open

storage uses to suit its operational needs and improve overall circulation and operational efficiency;

- (b) the Site falls within the Category 2 areas under the Town Planning Board Guidelines No. 13G for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB PG-No. 13G). The applied uses are considered not incompatible with the surrounding land uses which are predominately open storage yards and warehouses. Approval of the application for the applied uses would facilitate ongoing and flexible adaptation to meet the changing demands of land use and would not jeopardise the long-term planning intention of the “AGR” zone;
- (c) the Site is subject to a previous planning approval for a similar use. There are no substantial changes in planning circumstances and development parameters in the current application. Also, there are similar applications approved on the same OZP. No undesirable precedent is expected should the application be approved;
- (d) adverse traffic and environmental impacts are not anticipated. The applicant will strictly follow the ‘Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites’ (‘COP’) and comply with all environmental protection/pollution control ordinances during construction and operation stages; and
- (e) the applicant will apply to the Lands Department (LandsD) for Short Term Tenancies and modification of Short Term Waivers (STWs) for occupying GL and permitting the structures to be erected or regularise any irregularities on site once the current application is approved.

3. Compliance with the “Owner’s Consent/Notification” Requirements

The applicant is one of the “current land owners” and has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by obtaining the consent of the other “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the “Owner’s Consent/Notification” Requirements under TPB PG-No. 31B are not applicable.

4. Town Planning Board Guidelines

The TPB PG-No. 13G promulgated by the Board on 14.4.2023 is relevant to the application. The Site falls within Category 2 areas under TPB PG-No. 13G. Relevant extracts of the Guidelines are attached at **Appendix II**.

5. Background

The Site is currently not subject to any active planning enforcement action.

6. Previous Application

- 6.1 The Site is the subject of a previous application No. A/NE-TKL/768 for temporary warehouse for storage of metal and construction materials and associated filling of land for a period of three years submitted by a different applicant. The application was approved with conditions by the Committee on 10.1.2025 mainly on the considerations that the proposed use on a temporary basis could be tolerated; the proposed use was considered not incompatible with the surrounding areas; and no major adverse departmental comments were received on the application or the concerns of the relevant government departments could be addressed through imposition of approval conditions. The planning permission was subsequently revoked on 10.7.2026 due to non-compliance with approval conditions relating to the submission and implementation of drainage and fire service installations (FSIs) proposals.
- 6.2 Details of the previous application are summarised at **Appendix III** and its location is shown on **Plan A-1**.

7. Similar Applications

- 7.1 There are 34 similar applications (No. A/NE-TKL/690, 695, 707, 714, 721, 724, 734, 737, 743, 745, 746, 757, 758, 761, 762, 763, 779, 780, 784, 786, 803, 805, 806, 807, 812, 815, 821, 831, 833, 835, 836, 838, 840 and 842) involving 24 sites for temporary open storage and/or warehouse uses for a period of three years within the “AGR” zone in the vicinity of the Site in the past five years (**Plan A-1**). 33 of these applications falling within the Category 2 or 3 areas under TPB PG-No. 13F/G were approved with conditions by the Committee between 2022 and 2026 mainly on the considerations that the proposed use on a temporary basis could be tolerated; the proposed use was considered not incompatible with the surrounding areas; the application generally complied with TPB PG-No. 13F/G (for those involving open storage use only); no major adverse departmental comments or concerns of the relevant government departments could be addressed through imposition of approval conditions; and policy support from the Secretary for Development (SDEV) was given to facilitate the relocation of the applicant’s business operation affected by government project (for applications No. A/NE-TKL/721 and 779 only).
- 7.2 The remaining application No. A/NE-TKL/690 for temporary open storage use which fell within the Category 3 areas under the then TPB PG-No.13F was rejected by the Committee on 14.1.2022 mainly on the grounds that there was no strong planning justification for a departure from the planning intention of the “AGR” zone; and the applicant failed to demonstrate that the proposed use would not cause adverse traffic impact on the surrounding areas. The site was subsequently reclassified as Category 2 areas and covered by one of the approved similar applications (No. A/NE-TKL/743) for temporary open storage use as mentioned in paragraph 7.1 above.
- 7.3 Details of the similar applications are summarised at **Appendix IV** and their locations are shown on **Plan A-1**.

8. The Site and Its Surrounding Areas (Plans A-1 to A-4)

8.1 The Site is:

- (a) fenced-off and being used as the applied uses without valid planning permission; and
- (b) accessible via a local access road leading to Ping Che Road.

8.2 The surrounding areas are of rural character comprising mainly warehouses, storage use/open storage yards, workshops, vacant land and domestic structures. Three “Green Belt” zones are located to the further northeast, southeast and west of the Site.

9. Planning Intention

9.1 The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

9.2 According to the Explanatory Statement of the OZP, as filling of land within the “AGR” zone may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities.

10. Comments from Relevant Government Bureau/Departments

10.1 Apart from the government bureau and departments as set out in paragraphs 10.2 to 10.4 below, other government departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and recommended advisory clauses are provided at **Appendices V and **VI** respectively.**

10.2 The following government bureau supports the application:

10.2.1 Comments of the SDEV:

- (a) the application is to facilitate relocation of a brownfield operation for warehouse and open storage uses previously located in Yuen Long. The brownfield operation has been affected by YLS NDA;
- (b) according to the applicant, a site search was conducted with a view to identifying a suitable site for re-establishment of the affected business operation, and that the Site is considered the most suitable for relocation. Whilst the site area is larger than the original premises of the affected business operation, the applicant claims that the larger site is needed for enhancing internal circulation with provision of parking and manoeuvring spaces as well as to meet operational needs; and
- (c) subject to no adverse comments on land use compatibility and technical aspects from concerned departments, the application is supported from policy perspective.

10.3 The following government departments object to or do not support the application:

Land Administration

10.3.1 Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

- (a) he objects to the application;
- (b) the Site comprises Old Schedule Agricultural Lots held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. The proposed ingress/egress of the Site is required to pass through both GL and the adjoining private lots. No right of access via GL is granted to the Site. The applicant shall make his own arrangement of acquiring access to the Site. The Government shall accept no responsibility in such arrangement;
- (c) the following irregularities covered by the planning application have been detected by his office:

unauthorised structures within the said private lots covered by the planning application

LandsD has reservation on the planning application since there are unauthorised structures on the private lots which are already subject to lease enforcement actions according to case priority. The lot owners should rectify the lease breaches as demanded by LandsD;

unlawful occupation of GL adjoining the said private lots with unauthorised structures covered by the planning application

the GL within the Site (about 177m²) has been illegally occupied with unauthorised structures without any permission. LandsD objects to the planning application since there is there is illegal occupation of GL which regularisation would not be considered according to the prevailing land policy. The lot owner should immediately cease the illegal occupation of GL as demanded by LandsD. His office reserves the rights to take necessary land control action against the illegal occupation of GL without further notice;

- (d) the following irregularity not covered by the planning application has been detected by his office:

unauthorised structure extended from Lot 174 RP in D.D. 84 not covered by the planning application

there is unauthorised structure extended from Lot 174 RP in D.D. 84 to Lots 171 and 224 RP both in D.D. 84 not covered by the subject planning application. The lot owner should immediately rectify the lease breaches and his office reserves the rights to take necessary lease enforcement action against the breaches without further notice;

- (e) erection of unauthorised structures and illegal occupation of GL are not allowed. The occupier/lot owners should remove all the unauthorised structures and rectify the illegal occupation of GL immediately as the subject case does not fall within the case that could be regularised under the prevailing land policy;
- (f) subject to the approval of the Board to the planning application which shall have reflected the rectification as aforesaid required, the lot owner shall apply to his office for STW to permit the structures erected/proposed to be erected. The application for STW will be considered by the Government in its capacity as a landlord and there is no guarantee that it will be approved. The STW, if approved, will be on whole lot basis and subject to such terms and conditions including the payment of back-dated waiver fees and administrative fee as considered appropriate to be imposed by LandsD. In addition, LandsD reserves the right to take enforcement action against the lot owner/applicant for any breaches of the lease conditions, including the breach(es) already in existence or to be detected at any point of time in future and land control action for any unlawful occupation of GL. Besides, given the applied uses are temporary in nature, only erection of temporary structures will be considered;
- (g) unless and until the unauthorised structures and the unlawful occupation of GL are duly rectified by the lot owner/applicant, his office objects to the application which must be brought to the attention of the Board when they consider the application; and
- (h) his advisory comments are at **Appendix VI**.

Agriculture

10.3.2 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) the application is not supported from the agricultural perspective; and
- (b) the Site falls within the “AGR” zone and is generally vacant with some structures. The agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. The Site can be used for agricultural activities such as open-field cultivation, greenhouses, plant nurseries, etc. The Site possesses potential for agricultural rehabilitation.

10.4 The following government department provides views on the application:

Traffic

10.4.1 Comments of the Commissioner for Transport (C for T):

- (a) she has no comment on the application;

- (b) after taking into consideration the context of the Site including its location, existing adjacent developments and pedestrian footway, traffic conditions, requirement for vehicular access, etc., it is suggested to impose the approval conditions on the submission, implementation and maintenance of traffic management measures; and
- (c) her advisory comments are at **Appendix VI**.

11. Public Comment Received During Statutory Publication Period

On 21.7.2026, the application was published for public inspection. During the statutory public inspection period, one comment was received from an individual objecting to the application mainly on the grounds that the Site is the subject of a previously revoked application due to non-compliance with approval conditions (**Appendix VII**).

12. Planning Considerations and Assessments

- 12.1 The application is for temporary warehouse and open storage of metal and construction materials and associated filling of land for a period of three years at the Site falling within an area zoned “AGR” on the OZP. The applied uses are not in line with the planning intention of the “AGR” zone and DAFC does not support the application from the agricultural perspective as the Site possesses potential for agricultural rehabilitation. According to the applicant, the Site is considered suitable for relocation of the business operation affected by YLS NDA development. In this regard, SDEV advises that the application is to facilitate the relocation of a brownfield operation for warehouse and open storage uses affected by YLS NDA, and subject to no adverse comments on land use compatibility and technical aspects from concerned departments, the application is supported from the policy perspective. Taking into account the planning assessments below and the policy support rendered by SDEV, there is no objection to the applied uses with associated filling of land on a temporary basis of three years.
- 12.2 The application involves regularisation of filling of land at the entire Site with concrete of not more than 1m in depth for warehouse and open storage operations and smooth traffic flow. Filling of land within “AGR” zone requires planning permission from the Board as it may cause adverse drainage and environmental impacts on the adjacent areas. In this regard, the Chief Engineer/Mainland North of Drainage Services Department and Director of Environmental Protection have no objection to the application from public drainage and environmental planning perspectives respectively. As the Site is zoned “AGR”, an approval condition requiring the reinstatement of the Site upon expiry of the planning permission so as to uphold the planning intention of the “AGR” zone and restore the greenery of the area is recommended should the Committee decide to approve the application.
- 12.3 The Site is located in an area of rural character comprising mainly warehouses, storage use/open storage yards, workshops, vacant land and domestic structures. The Chief Town Planner/Urban Design and Landscape of Planning Department (PlanD) has no adverse comment on the application from landscape planning perspective, and advises that the applied uses are considered not incompatible with the surrounding environment and significant adverse landscape impact arising from the application is not anticipated.

- 12.4 The Site falls within the Category 2 areas under the TPB PG-No. 13G. The application generally complies with TPB PG-No. 13G in that relevant government departments consulted have no objection to or no adverse comment on the application. While C for T has no comment on the application, she recommends imposing approval conditions on the submission, implementation and maintenance of traffic management measures, taking into consideration the context of the Site including its location, existing adjacent developments and pedestrian footway, traffic conditions, requirement for vehicular access, etc. To address the technical requirements of concerned departments, relevant approval conditions are recommended in paragraph 13.2 below. Should the application be approved, the applicant will be advised to follow the environmental mitigation measures as set out in the 'COP' to minimise any potential environmental nuisance. Regarding DLO/N, LandsD's concern on the unauthorised structures erected within/outside the Site and occupation of GL, the applicant will be advised to liaise with LandsD on these land administration matters should the Committee approve the application.
- 12.5 The Site is the subject of a previously approved application No. A/NE-TKL/768 submitted by a different applicant for temporary warehouse use as detailed in paragraph 6.1 above. The planning permission was subsequently revoked on 10.7.2026 due to non-compliance with approval conditions in relation to submission and implementation of drainage and FSI proposals. Compared with the previously approved application, the layout and development parameters under the current application are largely the same except for the inclusion of open storage use and having a slightly larger site area. There are 33 similar applications for temporary open storage and/or warehouse uses within the "AGR" zone in the vicinity of the Site approved with conditions by the Committee in the past five years as mentioned in paragraph 7.1 above. The planning circumstances of the current application are similar to those of the approved previous and similar applications. Approval of the current application is in line with the Committee's previous decisions.
- 12.6 Regarding the public comment as detailed in paragraph 11, the comments from the government bureau and departments and planning assessments above are relevant.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comment in paragraph 11 above, PlanD has no objection to the application.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of three years until 11.9.2029. The following conditions of approval and advisory clauses are suggested for Members' reference:

Approval Conditions

- (a) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 11.3.2027;
- (b) in relation to (a) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 11.6.2027;

- (c) in relation to (b) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (d) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 11.3.2027;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 11.6.2027;
- (f) the submission of traffic management measures within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 11.3.2027;
- (g) in relation to (f) above, the implementation of the traffic management measures within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the Town Planning Board by 11.6.2027;
- (h) in relation to (g) above, the implemented traffic management measures shall be maintained at all times during the planning approval period;
- (i) if any of the above planning condition (c) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning condition (a), (b), (d), (e), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon expiry of the planning permission, the reinstatement of the Site, including the removal of fill materials and hard paving, and grassing of the Site to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

The recommended advisory clauses are at **Appendix VI**.

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the applied uses with associated filling of land are not in line with the planning intention of the "AGR" zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant the permission.

14.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid on a temporary basis.

14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

15. Attachments

Appendix I	Application Form with Attachments received on 14.7.2026
Appendix Ia	FI received on 22.7.2026
Appendix Ib	FI received on 14.8.2026
Appendix Ic	FI received on 31.8.2026
Appendix Id	FI received on 4.9.2026
Appendix II	Relevant Extracts of TPB PG-No. 13G
Appendix III	Previous Application
Appendix IV	Similar Applications
Appendix V	Government Departments' General Comments
Appendix VI	Recommended Advisory Clauses
Appendix VII	Public Comment
Drawing A-1	Layout Plan
Drawing A-2	Land Filling Plan
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2026**